

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CAROL LEE OWINGS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-20-01295-PRW
)	
ANDREW M. SAUL, Commissioner of)	
Social Security)	
)	
Defendant.)	

ORDER

On February 5, 2021, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation (Dkt. 4) in this action, recommending that Plaintiff's application to proceed in forma pauperis (Dkt. 2) be denied for failure to file any supplement to the application pursuant to the Court's December 29, 2020 order. Specifically, on December 29, 2020, the Court ordered Plaintiff to supplement her IFP application and provide complete financial information about her monthly income and expenses, by January 12, 2021. To date, Plaintiff has neither done so nor given any reason for failing to comply with the Court's order.

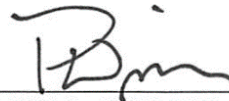
Accordingly, the Magistrate Judge further recommends that the action be dismissed without prejudice to refiling unless the Plaintiff pays the full \$402.00 filing fee within twenty-one (21) days of any order adopting the Report and Recommendation.

Plaintiff was advised that she had a right to object to the Report and Recommendation by February 19, 2021, and that failure to make a timely objection would

waive any right to appellate review of the in forma pauperis issue. No objections have been filed as of this date. Having failed to object, Plaintiff has waived her right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 4).¹ Upon review, the Court:

- (1) **ADOPTS** in full the Report and Recommendation (Dkt. 4) issued by the Magistrate Judge on February 5, 2021;
- (2) **DENIES** Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Dkt. 2); and
- (3) **DIRECTS** Plaintiff to pay the filing fee within twenty-one (21) days of this Order—i.e., on or before Thursday, June 3, 2021—or else have her action dismissed without prejudice to refiling.

IT IS SO ORDERED this 13th day of May 2021.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE

¹ *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059–60 (10th Cir. 1996); *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *cf.* 28 U.S.C. § 636(b)(1) (requiring a district judge to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made” but otherwise permitting a district judge to review the report and recommendations under any standard it deems appropriate).